

**Amendments to the Drawings**

The attached drawing sheet includes changes to Figure 3. In particular, reference numeral 8 has been used to designate two different elements. Reference numeral 8, designating the discharge opening, has been amended to reference numeral 9.

Attachment: Replacement Sheet

**REMARKS**

Reconsideration is respectfully requested in view of the above amendments and following remarks. Claims 1-8 have been amended editorially. Claim 1 has also been amended to recite "such that the upper wall extends above the discharge opening", as supported, for example at page 1, lines 6-7. No new matter has been added. Claims 1-8 are pending.

Figure 3 has been amended. In particular, reference numeral 8 had been used to designate two different elements. Reference numeral 8, designating the discharge opening, has been amended to reference numeral 9. No new matter has been added.

The arrangement of the specification is objected to because of the lack of headings. The specification has been amended to add headings where appropriate. Applicant hereby encloses a substitute specification. No new matter has been added. Withdrawal of the objection is requested.

**Claim rejections - 35 U.S.C. § 112**

Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph as being indefinite. Claim 1 has been amended taking into account the constructive criticisms raised in the rejection. Withdrawal of the rejection is respectfully requested.

**Claim rejections - 35 U.S.C. § 102**

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Patzner (FR 1 341 016). Applicant respectfully traverses the rejection.

Claim 1 is directed to a manually operable coffee dosing apparatus. The driving element comprises a manually operable handle, a coupling is provided between the handle and the dosing element, such that the dosing element is rotatable in subsequent discrete steps. At the end of a first discrete step a first of the portion spaces is located above the discharge opening. A subsequent discrete step is startable only after the first discrete step has been rounded off

completely. The coupling comprises a double ratchet mechanism, to operate the apparatus effectively. The double ratchet mechanism ensures that the user is forced to always round off a discrete rotation step before a next dosing action can be started. As a result of this operation, complete portions will always be taken in normal use. The limited rotation steps of the dosing elements are, moreover, separated from each other by stops and by clear click sounds, which is an indication to the user when the rotation step is rounded off.

Patzner (FR 1 341 016) teaches an automatic apparatus for providing a selected number of portions of coffee. When the number of portions is selected the device automatically delivers the selected number of portions at one time.

Patzner ('016) fails to teach or suggest a manually operated coffee dosing apparatus provided with a driving element comprising a manually operable handle. Nor does Patzner ('016) teach or suggest, a coupling provided between the handle and the dosing element such that the dosing element is rotatable in subsequent discrete steps, the coupling comprising a double ratchet mechanism. Nor is there any indication the apparatus taught by Patzner ('016) allows for limited rotation steps of the dosing elements, which are separated from each other by stops and by clear click sounds indicating to the user when the rotation step is rounded off.

Patzner ('016) fails to teach or suggest the features recited by claim 1. Thus, Patzner ('016) fails to anticipate independent claim 1 or render claim 1 obvious. Withdrawal of the rejection is respectfully requested.

Claims 2-3 depend from independent claim 1. For at least the reasons discussed above for claim 1, withdrawal of the rejection is respectfully requested.

Claims 1, 2 and 4 are rejected under 35 U.S.C. 102(b) as is anticipated by Tanner (GB 626,667). Applicant respectfully traverses the rejection.

Claim 1 is directed to a manually operable coffee dosing apparatus. The dosing mechanism is provided with a dosing chamber bound at a lower side by a bottom wall with a

discharge opening and is bound at an upper side by an upper wall with a feed opening. The feed opening is rotationally staggered relative to the discharge opening such that the upper wall extends above the discharge opening. The dosing element is rotatable about a substantially vertically extending axis. When the feed opening is rotationally staggered relative to the discharge opening, coffee is prevented from directly moving from the coffee holder to the discharge opening.

Tanner (GB 626,667) teaches an apparatus for delivering powder in doses. The apparatus is provided with a dosing cylinder that rotates about a horizontal shaft. The cylinder is provided with recesses, which is the only element preventing the direct movement of coffee from the coffee holder to the discharge opening. As the cylinder moves it makes it impossible to provide complete closure between the bore and the outer circumference of the cylinder, which is for a larger part removed by the recesses. Thus, the chance of coffee traveling inadvertently from the reservoir to the discharge opening is increased.

As presented above, Tanner ('667) teaches a cylinder rotating about a horizontal. Tanner ('667) fails to teach or suggest the dosing element is rotatable about a substantially vertically extending axis. Nor does Tanner ('667) teach or suggest the dosing mechanism is provided with a dosing chamber bound at a lower side by a bottom wall with a discharge opening and bound at an upper side by an upper wall with a feed opening, the feed opening is rotationally staggered relative to the discharge opening such that the upper wall extends above the discharge opening. Nor is there any indication the apparatus taught by Tanner ('667) could be modified such that the cylinder rotates about a substantially vertically extending axis so that when the feed opening is rotationally staggered relative to a discharge opening, coffee is prevented from directly moving from the coffee holder to the discharge opening.

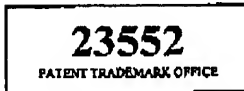
Tanner ('667) fails to teach or suggest the features recited by claim 1. Thus, Tanner ('667) fails to anticipate independent claim 1 or render claim 1 obvious. Withdrawal of the rejection is respectfully requested.

Claims 2 and 4 depend from independent claim 1. For at least the reasons discussed above for claim 1, withdrawal of the rejection is respectfully requested.

In view of the above, favorable reconsideration in the form of a notice of allowance is requested. Any questions regarding this communication can be directed to the undersigned attorney, Gregory A. Sebald, Reg. No. 33,280, at (612) 336.4728.

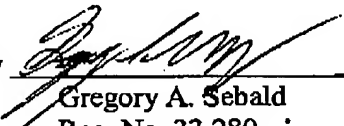
Respectfully submitted,

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Dated: May 10, 2005

By

  
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